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[Additional counsel listed on signature page]*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

In re TFT-LCD (FLAT PANEL) ANTITRUST LITIGATION

Master Docket No. 07-m-1827 SI

## This Document Relates to:

*AT&T Mobility LLC v. AU Optronics Corp., et al., No. 09-cv-4997-SI*

**STIPULATION AND [PROPOSED]  
ORDER FOR VOLUNTARY  
DISMISSAL OF PLAINTIFFS'  
CLAIMS AGAINST TATUNG  
COMPANY OF AMERICA, INC.  
WITHOUT PREJUDICE**

*Motorola Mobility, Inc. v. AU Optronics Corp., et al., No. 09-cv-5840-SI*

*Target Corp. v. AU Optronics Corp., et al., No.*

*Best Buy Co., Inc., et al. v. AU Optronics Corp., et al. Individual Case No. 3:10-cv-04572-SI*

*Costco Wholesale Corporation v. AU Optronics Corp., et al., No. 11-cv-00058-SI*

1           Defendant Tatung Company of America, Inc. (“Tatung America”) and Plaintiffs Motorola  
2 Mobility, Inc.; AT&T Mobility, LLC; AT&T Corp.; AT&T Services, Inc.; BellSouth  
3 Telecommunications, Inc.; Pacific Bell Telephone Co.; AT&T Operations, Inc.; AT&T  
4 DataComm, Inc.; Southwestern Bell Telephone Co.; Target Corp.; Sears, Roebuck and Co.;  
5 Kmart Corp.; Old Comp Inc.; Good Guys, Inc.; RadioShack Corp; Newegg Inc.; Costco  
6 Wholesale Corporation; Best Buy Co., Inc.; Best Buy Purchasing LLC; Best Buy Enterprise  
7 Services, Inc.; Best Buy Stores L.P.; BestBuy.com, LLC.; and Magnolia Hi-Fi, Inc. (“Plaintiffs”)  
8 stipulate as follows:

9           WHEREAS in their operative complaints, Plaintiffs asserted claims under the Sherman  
10 Antitrust Act, 15 U.S.C. § 1, as well as other state antitrust and unfair competition laws;

11           WHEREAS Plaintiffs are no longer pursuing these claims against Tatung America;  
12 THEREFORE, Tatung America, by its counsel, and Plaintiffs, by the undersigned  
13 counsel, stipulate and agree as follows:

14           1.       Plaintiffs’ claims against Tatung America are hereby dismissed without prejudice.  
15           2.       Both Plaintiffs and Tatung America are to bear their own costs and fees.  
16           3.       Tatung America agrees not to seek any fees or costs nor to pursue any sanctions  
17 against Plaintiffs and their counsel.

18           4.       This stipulation does not affect the rights or claims of Plaintiffs against any other  
19 defendant or alleged co-conspirator in the above-captioned cases.

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5. The summary judgment motion filed by Tatung America against Plaintiffs, noticed for hearing on June 22, 2012, is hereby taken off calendar as moot.

## **IT IS SO STIPULATED.**

Respectfully submitted,

Dated: May 24, 2012

/s/ Joshua C. Stokes

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TATUNG COMPANY OF AMERICA, INC.  
In the Motorola and AT&T cases only

**Pursuant to General Order 45, Part X-B, the filer attests that concurrence in the filing of this document has been obtained from the other signatories.**

## **[PROPOSED] ORDER**

The Court, having considered the stipulation of the parties, and good cause appearing, orders as follows:

4           1. The actions filed by Motorola Mobility, Inc.; AT&T Mobility, LLC; AT&T Corp.;  
5 AT&T Services, Inc.; BellSouth Telecommunications, Inc.; Pacific Bell Telephone Co.; AT&T  
6 Operations, Inc.; AT&T DataComm, Inc.; Southwestern Bell Telephone Co.; Target Corp.; Sears,  
7 Roebuck and Co.; Kmart Corp.; Old Comp Inc.; Good Guys, Inc.; RadioShack Corp; Newegg  
8 Inc.; Costco Wholesale Corporation; Best Buy Co., Inc.; Best Buy Purchasing LLC; Best Buy  
9 Enterprise Services, Inc.; Best Buy Stores L.P.; BestBuy.com, LLC.; and Magnolia Hi-Fi, Inc.  
10 (“Plaintiffs”) are dismissed without prejudice as against Defendant Tatung Company of America,  
11 Inc. pursuant to Federal Rule of Civil Procedure 41(a)(2).

12 ||| 2. Each of the parties shall bear its own costs and attorneys' fees.

13           3. Tatung America shall not seek any fees or costs nor to pursue any sanctions  
14 against Plaintiffs and their counsel.

15       4. This order does not affect the rights or claims of Plaintiffs against any other  
16 defendant or alleged co-conspirator in the above-captioned cases.

17       5. The summary judgment motion filed by Tatung America against Plaintiffs, noticed  
18 for hearing on June 22, 2012, is hereby taken off calendar as moot.

## **IT IS SO ORDERED.**

Dated: 5/25 , 2012

*Susan Illston*

Hon. Susan Y. Illston, United States District Judge

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